

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23181 of 2018

Arising Out of PS.Case No. -62 Year- 2017 Thana -VIBHUTIPUR District- SAMASTIPUR

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1. Basant Mandal S/o Ravan Mandal, R/o Vill.- Amarpur Pathra, P.S.- Goda
Distt.- Godda Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No.1

For the Opposite Party/s : Mr. Ahtash Ali Khan, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 26-04-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Bibhutipur P.S. Case No.
62 of 2017 registered under Section 30 (a), 38 (i) (ii)/47 of the
Bihar Prohibition and Excise Act, 2016.

888.376 liters of foreign liquor is said to have been
recovered from the Pick-Up Van and Scorpio and several accused
persons were apprehended. Petitioner is said to be owner of the
said vehicles.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has been
falsely implicated in this case. He has no concern with the seized



liquor. He happens to be owner of the said vehicles and it was handed over to its driver for plying the same. He had no knowledge of transporting the liquor by the driver. He was not apprehended on the spot. He has no criminal antecedent and has been languishing in custody since 21.03.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge-cum-Special Judge Excise Act, Samastipur in connection with Bibhutipur P.S. Case No.62 of 2017.

(Prakash Chandra Jaiswal, J)

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